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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,184	06/13/2000	Charles Calvin Byers	C.C.Byers 37-5-1-10-5	5441
7590 02/03/2004			EXAMINER	
Werner Ulrich 434 Maple Street Glen Ellyn, IL 60137			TRAN, PHUC H	
			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 02/03/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/593,184

Applicant(s)

BYERS ET AL.

Examiner

PHUC H TRAN

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 17-19 is/are rejected.
- 7) ☒ Claim(s) 15,16 and 20-22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-11, 13-14 and 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Angle et al. (U.S. Patent No. 6628646 B1).

- With respect to claims 1, 6, 13-14 and 17-19, Angle teaches apparatus for performing call control functions in a packetized telecommunications switch comprising:

a core switching fabric for transmitting traffic channels and call control messages from an input to an output (Fig. 1);

a Master Controller connected to the core switching fabric (block 110 in Fig. 1);

Art Unit: 2666

a plurality of feature processors connected to the core switching fabric for performing call processing functions (Fig. 2 with plurality features);

the Master Controller for receiving call processing request messages (block 235 in Fig. 2), and for transmitting call processing request messages to a selected one of the plurality of feature servers (col. 6, lines 54-62);

the feature servers for generating call control messages for transmission via the core switching fabric to peripheral equipment for implementing a call control function specified in a call control message (col. 6, lines 26-40).

- With respect to claims 2 & 10, Angle teaches wherein the core switching fabric comprises a circuit switching fabric for establishing call traffic connections (cells in the switch, col. 4, lines 28).

- With respect to claims 3 & 11, Angle also teaches wherein the core switching fabric comprises a packet switching fabric for transmitting the call control messages (IP packet, in col. 4, lines 19-21).

- With respect to claim 4, Angle discloses wherein the plurality of feature servers comprises a plurality of different types of feature servers (features multicast, unicast in Fig. 2).

- With respect to claim 5, Angle teaches wherein the plurality of different types of feature servers comprises a plurality of at least one type of feature server (scheduling in Fig. 2).

- With respect to claims 7-9, Angle explicitly fails to teach wherein the Master Controller comprises duplicated equipment, however it would be obvious to a person of ordinary skill in the art at the time of the invention was made to understand a number of controller, which depends on service need.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Angle et al. (U.S. Patent No. 6628646 B1) in view of Bauer et al. (U.S. Patent No. 6026151).

- With respect to claim 12, Angle teaches apparatus for performing call control functions in a packetized telecommunications switch comprising: wherein the plurality of feature servers comprises a plurality of different types of feature servers (features multicast, unicast in Fig. 2), but Angle fails to teach the Master Controller performs the function of accumulating billing records. Bauer teaches the billing records (block 590 in Fig. 9) for calculating a cost of calls from users. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to implement the method of billing from Bauer into Angle at the master controller for controlling the connection fee of calls from the users to pay for a service.

Allowable Subject Matter

6. Claims 15-16, and 20-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2666

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See form PTO-892.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUC H TRAN whose telephone number is (703) 308-7471. The examiner can normally be reached on M-F (8-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAO SEEMA can be reached on (703) 308-5463. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 872-9314.

Phuc Tran
Assistant Examiner
Art Unit 2664

P.t
October 17, 2003


DANG TON
PRIMARY EXAMINER